UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BRENT J. JOHNS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:18-CV-01121-AGF
	)	
CITY OF FLORISSANT, et al.,	)	
	)	
Defendants.	)	

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff's motion to appoint counsel. ECF No. 32. Plaintiff, who is proceeding pro se, brings this action under 42 U.S.C. § 1983, alleging that Defendants violated his constitutional rights when he was tased and beaten and then denied medical care. Plaintiff now seeks appointment of counsel because he claims to have little knowledge of the law, that the facts surrounding the case are complex, and that his case will be hindered without an attorney's knowledge of civil procedure.
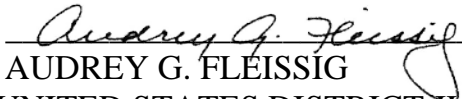
There is no constitutional right for a pro se plaintiff to have counsel appointed in a civil case, although the Court has discretion to appoint counsel when necessary. *Chambers v. Pennycook*, 641 F.3d 898, 909 (8th Cir. 2011); *Phillips v. Jasper County Jail*, 437 F.3d. 791, 794 (8th Cir. 2006). Among the factors a court should consider in making this determination are the factual and legal complexity of the case, the ability of the plaintiff to present the facts and his claims, and the degree to which the plaintiff and the court would benefit from such an appointment. *Phillips*, 437 F.3d. at 794.

Upon review of the record, the Court concludes that this case is neither factually nor legally complex, and Plaintiff has aptly demonstrated his ability to coherently present his claims, as set forth in the pleadings. Further, although Plaintiff was incarcerated when he filed his complaint, he has since been released and will have more resources available to him in pursuing his claims. Thus, the Court will deny Plaintiff's motion for appointment of counsel at this time.

IT IS HEREBY ORDERED that Plaintiff's motion to appoint counsel is **DENIED WITHOUT PREJUDICE**. ECF No. 32.

Dated this 2nd day of August, 2019.

AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE